

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CAROL PETHTEL, individually
and in her capacity as
Administratrix of the ESTATE OF
THOMAS SAMUEL PETHTEL, JR.,
deceased, and as guardian ad litem
for TARA BROTHERS, TABITHA PETHTEL,
and THOMAS S. PETHTEL, III,

Plaintiffs,

v.

Civil Action No. 5:06CV87
(STAMP)

WEST VIRGINIA STATE POLICE,
COLONEL DAVID L. LEMMON, Superintendent
of the West Virginia State Police,
SERGEANT GERALD L. MENENDEZ,
SERGEANT CHARLES F. TRADER,
FIRST SERGEANT DAVID B. MALCOMB,
FIRST SERGEANT L. SCOTT GOODNIGHT,
CORPORAL R. L. MEFFORD and
TROOPER J. A. SIMMONS, individually
and in their capacity as members of
the Special Response Team-Alpha Team
of the West Virginia State Police and
CAPTAIN T.L. PHILLIPS, State Police
Commanding Officer in Ohio County,

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO UNSEAL DOCUMENTS

On August 3, 2007, the defendants filed an unopposed motion to unseal documents out of the United States of America v. Thomas S. Pethtel, United States District Court for the Northern District of West Virginia, Criminal Action No. 5:04CR17-01. In support of the motion, the defendants state that unsealing the documents is necessary to obtain certain filings in that criminal matter to prepare for their defense in this civil matter. As of this date,

there has been no response to this motion. For good cause shown,
the defendants' motion to unseal documents is GRANTED.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to
counsel of record herein.

DATED: August 27, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE